

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDG. 68-1
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920

IN THE MATTER OF
RENEE GAUTHIER,
RESPONDENT.

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DBR No. 19GA003

CONSENT AGREEMENT

The Department of Business Regulation (the “Department”) and Respondent Renee Gauthier (the “Respondent”) hereby agree to resolve the above-captioned matter pursuant to R.I. Gen. Laws § 42-35-9(d).

It is hereby agreed by and between the Division and the Respondent that:

1. Respondent holds License No. GFE.008069T-S (“License”), issued by the Division of Gaming and Athletics (“Division”) on January 1, 2017 with an expiration date of December 31, 2019.
2. On December 15, 2018, the Respondent was arrested and charged with a misdemeanor for an incident occurring at the Twin River Casino Hotel during Respondent’s shift.
3. The Department issued an *Order to Show Cause* on January 24, 2019. On May 13, 2019, the Respondent’s criminal case was dismissed pursuant to Rule 48(a) of the R.I. District Court Criminal Rules.
4. Thereafter, the parties engaged in one pre-hearing conference held on May 22, 2019 and had subsequent communications wherein the issues of the case were discussed. Through Respondent’s Counsel, the Department verified the Respondent’s performance of community service and contribution to the Violent Crimes Indemnity Fund.
5. The Respondent now contends that his License should be reinstated because his lengthy career has thus far been free of discipline and his criminal charges in District Court Case No. 31-2018-11689 have been dismissed.

Applicable Law

6. Pursuant to R.I. Gen. Laws § 41-4-9.1(c), the Division may “suspend or revoke, for good cause, any license issued by it after a hearing held in accordance with chapter 35 of title 42 and subject to further appeal procedures provided by § 41-2-3.”

Conditions

7. Though the Division maintains that it has the requisite good cause to revoke Respondent’s License pursuant to R.I. Gen. Laws § 41-4-9.1(c), in consideration for the Respondent’s lack of criminal history, lack of Departmental disciplinary history, his acceptance of responsibility, his compliance with Departmental inquiries, and his verified submission of mitigating circumstances, the parties have agreed to an amicable resolution of the matter without an administrative hearing and the attendant time and costs. As such, the following are the conditions under which the Department will grant Respondent a Conditional License:
 - a. Respondent will be granted a Conditional License for the period of six (6) months from the date of the execution of this consent agreement (“Conditional Licensing Period”), and during the Conditional Licensing Period the Respondent will remain free of any arrests, charges or allegations of criminal conduct, civil violations, probation violations and/or violations of Twin River policies and/or procedures;
 - b. Respondent will report any arrests, charges or allegations of criminal conduct, civil violations, or probation violations within twenty-four (24) hours of their occurrence to the Department by e-mail or phone call to Christina Tobiasz, Gaming and Athletics Administrator;
 - c. If the Respondent remains free from any arrests, charges or allegations of criminal conduct, civil violations, or probation violations for the duration of his conditional licensing period, thereafter his Conditional License will become permanent for the remainder of his licensing cycle;
 - d. If the Respondent incurs any arrest, charge or allegation of criminal conduct, civil violation, or probation violation during his conditional licensing period, the Department may immediately suspend or revoke his License.
8. The Department and Respondent agree that this Consent Agreement and its terms represent the final determination of this matter.

Legal Effects of Consent Agreement

9. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*
10. *Enforcement.* If the Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, the Respondent will be in violation hereunder and the Department shall be entitled to immediately take enforcement or other action in accordance with applicable law.
11. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve the Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

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For the Division:

C. Tobiasz
Signature
Date: 8/28/19

Christina Tobiasz
Gaming and Athletics Administrator
Division of Gaming and Athletics

For the Respondent:

Renee L. Gauthier
Signature
Date: 8/28/19

Renee Gauthier

Lisa S. Holley, Esq
Signature
Date: 8-28-19
Lisa Holley, Esq.
Counsel for the Respondent